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918-5	Don Hamilton (J.L. Merrill & L.L. Lein 800 Cravens Building 119 North Robinson 0klahoma City, 0klahoma 73102 (405-232-8185)  Alan B. McPheron (for D. M. Berry 116 N. Third															
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DATE	NR.	PROCEEDINGS
7-1-75	1.	Complaint filed. mm
7-1-75	2.	Mtn. for Temporary Rest. Order and Order to Show Cause why Prel. Inj. should not issue, filed.jj
7-1-75	3.	Affidavit in Support of Mtn. for Temp. Rest. Order and Prel. Inj., filed.jj
7-1-75	4.	Temporary Rest. Order and Order to Show Cause Why Prel. Inj. should not issue., filed.jj Hearing set 7-18-75 at 1:30 p.m Pltf. to post security bond of \$1000.00.
7-3-75	Î.	Summons issued w/Complaint, Mtn & Order.jj
7-3-75	5.	Bond (\$1,000 cash), filed. rm
		Order, filed, consituting 3-judge Court as follows: Hon. Wm. J. Holloway, US Circuit Judge; Hon. Allen E. Barrow, USDC & Hon. H. Dale Cook, USDC. (David T. Lewis, Ch, Judge, USCA)hm (copies mailed counsel & 3 Judges)
7-17-75 7-17-75	8.	Motion of pltf. to strike hrg. on pltf. mo/Prel. Inj., filed. rm Order, filed, striking hrg. set for 7/18/75 re prel. inj.; further ordered that TRO issued on 7/1/75 and filed on 7/2/75 is continued and remains in force until case is heard by 3-Judge Panel.(HDC-J)rm-copies md.
7-22-75		Summons, ret. & filed: served Earl Wade and Quinton Auto Service at huska, Ok. on 7-11-75; served Governor David Boren, Okla. Tax Com., ************************************
7-25-75	9.	Answer of Defts. J. L. Merrill & L. L. Leininger, filed. v
7-25-75	10.	Affidavit of J. L. Merrill, filed. v
7-25-75	11.	Affidavit of L. L. Leininger, filed. v
3	12.	Motion of Deft. J.L. Merrill & L.L. Leininger to Dismiss, filed. v Brief in support, filed. v
	13. MO:	It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to the Motion to Dismiss filed by Defts. J.L. Merrill & L.L. Leininger. (HDC, WJH, AEB-Judges)v
7-28-75	14.	Applic. of deft. Leininger, Vice-Chairman, Okla. Tax Commission for ext. of time to answer, filed. hm
7-28-75	15.	Order, filed, extending to 8-4-75 the time in which deft. Leininger, Vice-Chairman, Okla. Tax Commission may ans. (JCS-Clk)hm (copies mailed counsel & Judges)
7-30-75	17. 18.	Brief in support of mot. to dismiss, filed. g
7-30-75	20.	Motion of Ken Quinton, d/b/a Quinton Auto Service, to Strike, filed with brief in support attached, filed. v

## CIVIL DOCKET CONTINUATION SHEET

7-30-75 21. Motion of Ken Quinton, etc., to make more certain, filed with brief in support attached. v 7-30-75 22. Motion of Ken Quinton, etc., to Dismiss, filed w/brief in support attached. v 7-31-75 MO: It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft. Ken Quinton, d/b/a Quinton Auto Service, Mot. to Strike, his Mot to Make More Certain, and his Mot. to Dismiss. (HDC-J)v 7-30-75 23. Motion of Deft. Earl Wade, to Strike, filed w/brief in support attached. v 7-30-75 24. Mot. of Deft. E. Wade to Make More Certain, fld. w/brief in support attached. v 7-30-75 25. Mot. of Deft. E. Wade to Dismiss, fld. w/brief in support attached. v 7-30-75 26. Mot. of Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 7-30-75 MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respon to Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 7-30-75 MO: Order, filed, allowing pltf. to file amended complaint by 8-14-75; rime to reply to Mot. to dismiss ext. to 8-15-75. (HDC-J)g 8-4-75 28. Answer of D. M. Berry, L. C. Leininger and J. L. Merrill, filed. mm 9-2-75 31. Pltf's Brief in Response to Motion to Strike, filed. Im 9-2-75 32. Answer to Amended Complaint, filed. Im 9-2-75 33. Answer to Amended Complaint of Defendanta, J. L. Merrill & L. L. Leininger, filed. mm 9-2-75 35. Heskett & Hoskett, Attorneys for Kenneth Quinton d/b/a Quinton's Ar Service Application to Withdraw as Attorneys, filed. mm 9-2-75 36. Mot. Service Application to Withdraw as Attorneys, filed. mm 9-3-75 37. Answer of D. M. Berry to amended complaint, filed. g 9-3-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto & Wade, are overruled; that motions to strike of defs. Quinton Auto & Wade, are overruled; that motions to strike of defs. Quinton Auto and Wade, are overruled; that motions to strike of defs. Quinton Auto and Wade, are overruled; that motions to strike of defs. Quinton Auto and Wade, are overruled;	PLAINTIFF	Clouin	. Watanlaa	D.M. Berry, et al.	DOCKET NO. 75-C-257			
7-30-75 21. Motion of Ken Quinton, etc., to make more certain, filed with brief in support attached. v 7-30-75 22. Motion of Ken Quinton, etc., to Dismiss, filed w/brief in support attached. v 7-31-75 MO: It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft. Ken Quinton, d/b/a Quinton Auto Service, Mot. to Strike, his Mot to Make More Certain, and his Mot. to Dismiss. (HDC-J)v 7-30-75 23. Motion of Deft. Earl Wade, to Strike, filed w/brief in support attached. v 7-30-75 24. Mot. of Deft. E. Wade to Make More Certain, fld. w/brief in support attached. v 7-30-75 25. Mot. of Deft. E. Wade to Dismiss, fld. w/brief in support attached. v 7-30-75 MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respon to Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 8-1-75 26. Application for Extension of Time of Plaintiff, Gloria Waterloo, friled. mm order, filed. mm order, filed. mm order, filed. mm order, filed. allowing pltf. to file amended complaint by 8-14-75; teme to reply to Mot. to dismiss ext. to 8-15-75. (HDC-J)v 8-28-8-75 28. Mended Complaint, filed. lm 8-20-75 30. Pltf's Brief in Response to Motions to Strike, filed. lm 8-20-75 31. Pitf's Brief in Response to Motions to Strike, filed. lm 9-2-75 32. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm 9-2-75 36. Order Granting Application of Heskett and Heskett to Withdraw as Attorney for Kenneth Quinton d/b/a Quinton's Ar Service Application to Mithdraw as Attorneys, filed. mm (To remain as counsel for Earl Wade) 9-3-75 37. Motion of Mended Complaint, filed. (HDC-J) cm and mm (To remain as counsel for Earl Wade) 9-16-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton's Artorney for Kenneth Quinton, filed. (HDC-J) cm and that defs. Quinton Auto and Wade, are overruled; that motions to strike of defs. Quinton Auto and Wade, are overruled; that motions to strike of defs. Quinton Auto and Wade, are overruled; that	Mrs.	GIOTIA	waterioo	D.M. berry, et al.	Sheet 2 Page 3			
attached. v 7-30-75 22. Notion of Ken Quinton, etc., to Dismiss, filed w/brief in support attached. v 7-31-75 MO: It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft. Ken Quinton, d/b/a Quinton Auto Service, Mot. to Strike, his Mot to Make More Certain, and his Mot. to Dismiss. (HDC-J)v 7-30-75 23. Notion of Deft. Earl Wade, to Strike, filed w/brief in support attached. v 7-30-75 24. Mot. of Deft. E. Wade to Make More Certain, fld. w/brief in support attached. v 7-30-75 25. Mot. of Deft. E. Wade to Dismiss, fld. w/brief in support attached. v 7-30-75 MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respon to Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 7-30-75 MO: Application for Extension of Time of Plaintiff, Gloria Waterloo, riled. mm 9-2-75 28. Application for Extension of Time of Plaintiff, Gloria Waterloo, riled. mm 9-2-75 30. Pltf's Amended Complaint, filed. Im 9-2-75 31. Pltf's Brief in Response to Motions to Strike, filed. Im 9-2-75 32. Pltf's Brief in Response to Motions to Strike, filed. Im 9-2-75 32. Pltf's Brief in Response to Motion to Make More Certain, filed. Im 9-2-75 33. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm 9-2-75 34. Paul V. McGlvern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm 9-2-75 36. Met. Application to Withdraw as Attorneys, filed. mm 9-2-75 37. Met. McGlvern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service Application to Withdraw as Attorneys, filed. mm 9-2-75 38. Met. McGlvern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Actoomy for Kenneth Quinton d/b/a Quinton's Autocomy for Kenneth Quinton d/b/a Quinton's Autocomy for Kenneth Quinton, filed. (HDC-J) ops mid mm (To remain as counsel for Earl Wade) 9-3-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto Autocomy for Kenneth Quinton Auto and Wade, are overruled; that motions to strike of defs., Qui	DATE	NR.		PROCEEDINGS				
7-31-75 MO: It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft. Ken Quinton, d/b/a Quinton Auto Service, Mot. to Strike, his Mot to Make More Certain, and his Mot. to Dismiss. (HDC-J)v 7-30-75 23. Motion of Deft. Earl Wade, to Strike, filed w/brief in support attached. v 7-30-75 24. Mot. of Deft. E. Wade to Dismiss, flld. w/brief in support attached. v 7-30-75 25. Mot. of Deft. E. Wade to Dismiss, flld. w/brief in support attached. v 7-30-75 MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respon to Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 8-1-75 26. Application for Extension of Time of Plaintiff, Gloria Waterloo, filed. mm 9-2-75 27. Order, filed, allowing pltf. to file amended complaint by 8-14-75: time to reply to Mot. To dismiss ext. to 8-15-75. (HDC-J)g Malaria (	7-30-75							
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7-30-75 Mo: Mot. of Deft. E. Wade to Dismiss, fld. w/brief in support attached. v 7-30-75 Mo: It is ordered by the Court that Pltf. is granted 10 days from this date to respon to Deft. Earl Wade's Mots. to Strike, to Make More Certain & to Dismiss. (HDC-J)v 8-1-75 26. Application for Extension of Time of Plaintiff, Gloria Waterloo, flled. mm Order, filed, allowing pltf. to file amended complaint by 8-14-75; time to reply to Mot. To dismiss ext. to 8-15-75. (HDC-J)g Model of the Court of the Cou	7-30-75	23.	Motion of Deft. Earl Wa	ade, to Strike, filed w/brief in supp	port attached. v			
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8-4-75 27. Order, filed, allowing pltf. to file amended complaint by 8-14-75; time to reply to Mot. to dismiss ext. to 8-15-75. (HDC-J)g Marker of D. M. Berry, L. C. Leininger and J. L. Merrill, filed. g 8-14-75 29. Pltf's Amended Complaint, filed. lm Merrill, filed. g 8-20-75 30. Pltf's Brief in Reply to Mtns. to Dismiss, filed.jj 8-20-75 32. Pltf's Brief in Response to Motions to Strike, filed. lm 8-28-75 33. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm 9-2-75 35. Paul V. McGivern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm 9-2-75 36. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's Answer to Application to Withdraw as Attorneys, filed. mm 9-3-75 37 Answer of D. M. Berry to amended complaint, filed. g 9-16-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Qu	8-1-75	26.		tension of Time of Plaintiff,	Gloria Waterloo,			
8-4-75 28. Answer of D. M. Berry, L. C. Leininger and J. L. Merrill, filed. g 8-14-75 29. Pltf's Amended Complaint, filed. lm	8-4-75	27.	Order, filed, allow	ving pltf. to file amended compt. to dismiss ext. to 8-15-75.	olaint by 8-14-75; (HDC-J)g //w/ 3 /2004			
8-15-75 30. Pltf's Brief in Reply to Mtns. to Dismiss, filed.jj  8-20-75 31. Pltf's Brief in Response to Motions to Strike, filed. lm  8-20-75 32. Pltf's Brief in Response to Motion to Make More Certain, filed. lm  8-28-75 33. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm  9-2-75 34. Paul V. McGivern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm  9-2-75 35. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's Answer de Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  9-3-75 37 Answer of D. M. Berry to amended complaint, filed. g  Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite amd certain of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wade, are overruled; that motions to Strike of defs., Quinton Auto and Wad	8-4-75		Answer of D. M. Be	rry, L. C. Leininger and J. L.	Merrill, filed. g			
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8-20-75 32. Pltf's Brief in Response to Motion to Make More Certain, filed. 1m 8-28-75 33. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm 9-2-75 34. Paul V. McGivern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm 9-2-75 35. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's Autorice Application to Withdraw as Attorneys, filed. mm 9-2-75 36. Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth Quinton, filed. (HDC-J) cps mld mm (To remain as counsel for Earl Wade) Answer of D. M. Berry to amended complaint, filed. g Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that defs. are granted 10 days from this date to file an answer to the Complaint. (HDC-J)rm - copies to AEB,WJH, and counsel Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. 1m Ac 3 grants.	8-15-75	30.	Pltf's Brief in Re	ply to Mtns. to Dismiss, filed	l.jj			
8-28-75 33. Answer to Amended Complaint of Defendants, J. L. Merrill & L. L. Leininger, filed. mm  9-2-75 34. Paul V. McGivern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm  9-2-75 35. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's Autorice Application to Withdraw as Attorneys, filed. mm  9-2-75 36. Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  9-3-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled and that defs. are granted 10 days from this date to file an answer to the Complaint.(HDC-J)rm - copies to AEB,WJH, and counsel  9-24-75 39. Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. Im Academic Autorice Answer to Amended Complaint, filed. Im Academic Autorice Autorice Answer to Amended Complaint, filed. Im Academic Autorice Autorice Autorice Answer to Amended Complaint, filed. Im Academic Autorice Aut	8-20-75	31.	Pltf's Brief in Re	sponse to Motions to Strike, i	filed. lm 15 3 1			
Leininger, filed. mm  9-2-75  34. Paul V. McGivern, Jr.'s Entry of Appearance as Attorney for Quinton Auto Service, filed. mm  9-2-75  35. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's And Service Application to Withdraw as Attorneys, filed. mm  9-2-75  36. Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  9-3-75  37. Answer of D. M. Berry to amended complaint, filed. g  Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; that motions to definite and counsel to the Complaint. (HDC-J)rm - copies to AEB,WJH, and counsel Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. Im Answer.	8-20-75	32.	Pltf's Brief in Res	ponse to Motion to Make More (	Certain, filed. 1m			
Auto Service, filed. mm  9-2-75  35. Heskett & Heskett, Attorneys for Kenneth Quinton d/b/a Quinton's And Service Application to Withdraw as Attorneys, filed. mm  9-2-75  36. Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  9-3-75  38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinton Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; and that defs. are granted 10 days from this date to file an answer to the Complaint.(HDC-J)rm - copies to AEB,WJH, and counsel  9-24-75  39. Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. Im ## 3   Market Amended Complai	8-28-75	33.			. Merrill & L. L.			
Service Application to Withdraw as Attorneys, filed. mm  Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  Answer of D. M. Berry to amended complaint, filed. g  Order, filed, that motions to dismiss of Leininger, Merrill, Quintor Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; and that defs. are granted 10 days from this date to file an answer to the Complaint. (HDC-J)rm - copies to AEB, WJH, and counsel  Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. lm to 3 graphs.	9-2-75	34.	Paul V. McGivern, Auto Service, file	Jr.'s Entry of Appearance as A	Attorney for Quintor			
9-2-75 36. Order Granting Application of Heskett and Heskett to withdraw as Attorney for Kenneth QUinton, filed. (HDC-J) cps mld mm  (To remain as counsel for Earl Wade)  9-3-75 37 Answer of D. M. Berry to amended complaint, filed. g  Order, filed, that motions to dismiss of Leininger, Merrill, Quintor Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; and that defs. are granted 10 days from this date to file an answer to the Complaint. (HDC-J)rm - copies to AEB, WJH, and counsel  9-24-75 39. Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. lm to 3 page 19-24-75	9-2-75	35.						
9-3-75 37 Answer of D. M. Berry to amended complaint, filed. g 9-16-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinto Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; and that defs. are granted 10 days from this date to file an answer to the Complaint.(HDC-J)rm - copies to AEB,WJH, and counsel  9-24-75 39. Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. lm to 3 pages 19-24-75	9 <b>-2-</b> 75	36.	Order Granting App Attorney for Kenne	olication of Heskett and Hesket eth QUinton, filed. (HDC-J) cps	ct to withdraw as			
9-16-75 38. Order, filed, that motions to dismiss of Leininger, Merrill, Quinto Auto, Earl Wade and Berry, are overruled; that motions to make more definite and certain of defs., Quinton Auto & Wade, are overruled; that motions to strike of defs., Quinton Auto and Wade, are overruled; and that defs. are granted 10 days from this date to file an answer to the Complaint.(HDC-J)rm - copies to AEB,WJH, and counsel  Defts. D.M. Berry, L. C. Leininger and J. L. Merrill ANSWER to Amended Complaint, filed. lm to 3 pages 19-24-75.	9-3-75	37			ed. g			
Amended Complaint, filed. lm to 3 grange.	9-16-75	38.	Order, filed, that Auto, Earl Wade an definite and certa that motions to st and that defs. are to the Complaint.	motions to dismiss of Leining d Berry, are overruled; that min of defs., Quinton Auto & Warike of defs., Quinton Auto are granted 10 days from this day (HDC-J)rm - copies to AEB, WJH,	ger, Merrill, Quinto notions to make more ade, are overruled; ad Wade, are overrul te to file an answer and counsel			
g to the contract of the contr	9-24-75	39.	Defts. D.M. Berry, Amended Complaint,	L. C. Leininger and J. L. Me: filed. lm to 3 graphs	rrill <u>ANSWER</u> to  DC-111A (Rev. 1/75			

DEFENDANT

## PLAINTIFF

Mrs.	Glori	a Waterloo	D.M. Berry, et al.	DOCKET NO. 75-C-257 Sheet 2, Page 4 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
DATE	NR.		PROCEEDINGS	
9-25-75	40.	ANSWER of def., Qu	inton Auto Service, filed. rm	
9-26-75	41.	ANSWER of deft., E	arl Wade, filed. lm	
9-26-75	42.	ANSWER TO AMENDED	COMPLAINT of deft., Earl Wade, 1	Piled. lm
12-3-75 12-9 12-9 12-9 12-9 12-15 12-19	MO: 43. 44. 45. 46. 47 48.	Interrogatories to Request for admiss Interrogatories to Request for admiss Entry of Appearance filed. lm (cps to Interrogatories by Auto Service, filed Request for Admissi	defts. Merrill and Leininger to • g	filed. g L. Merrill. g , filed. g L. Leininger. g kla. Tax. Comm., deft. Quinton
1976 1-9 1-9- 1-9	50. 51. 52. 53.	Ans. to Request for Pltf's Ans. to Int.	er, filed. g  Adm. of Facts of J. L. Merrill Adm. of Facts of L. L. Leining of Deft. L. L. Leininger, file of Deft. J. L. Merrill, filed.	ger, filed.jj
1-27	54.	Mot. for separation of 47 O.S. Sec. 22. & Damages, filed.t	for trial of the issue of Cons 12, 2217, 22.20, and the Issue	titutionality of Liability
1-27	55.	Brf. in support of	Mot., filed.t	
	₩О.	for sep. for trial	the Ct. that Pltf. is granted 10 Defts' J. L. Merrill & L. L. L. of the issue of constitutional and 22.20, and the issue of lia	eininger's, Mot.
1-28	56. 57.	4/ OS Secs.22.12,22	ons, filed.jj for Trial of the Issue of Cons .17 & 22.20 and the Issue of Li	titutionality of
1-28	58.	Damages, filed.jj Brief in Support of Constitutionality o of Liability and Da	Mtn. for Separation for Trial f 47 OS Secs. 22.12, 22.17 & 22 mage, filed.jj	of the Issue of .20, & the Issue
1-28	MO:	brief within 10 day Mtn. for Separation	e Court that the plaintiff file s to the defts. Berry, Leininge for Trial of the Issue of Consility and damages.(HDC-J)jj	r & Merrill.
1-28	59.	Deft. Wuinton Auto Merrill and L. L. L	Service Answers to Interrogator:	ies of J. L.
1-29	60.	Mo. of deft., Quint of the issue of Cor	son Auto Service, for separation astitutionality of 47 O.S. Sec. we of liability and damages, fil	22.12, 22.17 and
		(cont		·
ECHROLIDAM.				STATE OF THE PERSON OF THE PER

## CIVIL DOCKET CONTINUATION SHEET

			DEFENDANT	DOCKET NO75-C-257
Mrs. Gloria Waterloo			D. M. Berry, et al.	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
DATE	NR.		PROCEEDINGS	
1976				
1-29	61.	Brief in support of for trial, filed.	f mo. of deft. Quinton Auto S ph	Service, for separati
1-29	MO:	brief within ten (I mo. for separation	ne Court that all parties fill 10) days to the deft. Quinton for trial of the Issue of Co., 22.17 and 22.20, and the is J)ph cps mld.	n Auto Service's enstitutionality of
2-3	62.		admissions to J. L. Merrill's ions of fact, filed. ph	and L. L. Leininger
2-3	63.	Mot. for separation of 47 0.S. 1971, Se	for trial of the issue of cec. 22.12, 22.17 & 22.20 and s,filed.t cps. mld. to J's.	onstitutionality the issue of
2-3	MO:	PT order submitted contained in PT or Quinton Auto Serv. order of dismissal Ct. Parties all arto request for adm witnesses called a issues of trial, a Holloway and Barro case should be bif quest. of constitution itted on that quest.	held. All parties represent for approval by the panel. Index. Pltf's oral mo. to discovery appropriately present to pltf. for appropriately parties state at the time of trial. Pltf. Along with defts. Ct. to concern the possible bifurcation. Furcated, parties to be required, parties to be required. Parties to be advised as a ted leave to adopt briefs to HDC-J)ph	Stip. of facts miss against deft. id deft. to prepare val and then to the Defts waive answers there will be no moves for separ. of sult with Judges If panel decides to file briefs on hen be considered sub sto decision, and
2-9	64.	Pltf's response to of Constitutional	o motions for separation for ity of 47 O.S. 1971, Sec. 22. liability and damages, filed.	12, 22.17 and 22.20
2-11	65.	Order, filed & en	tered, dismissing complaint a ice. (HDC-J)g cp. mld.	
2 <del>9</del> 26	66.		kla. Tax request for admission	ons,filed.rm(cpy to
3-10	1		iled. (HDC-J)hm (copies mail	
3-19	MO:	relating to the corparties, will be prand including the be given 7 days the	reed that the issues will be nstitutionality of the statut resented by briefs; parties worth day of April to submit breafter to file a resp. brie	re, as requested by to vill each be given to riefs; each party will ef. (HDC-J)hm
4-2	68. 69.	Briefof Defts. in Title 47 O.S. (197	Commission, fld. v Google Support of Constitutionality (1) Supp.) Sec.22.12, 22.17 &	of
4-9	70.	Brief of Pltf., fi	led. ph	
9	-		(Cont)	

PLAINTIFF		enter operant paga and care out of modern had been a state of modern and the care of modern	DEFENDANT				
Mrs. Gloria Waterloo			D. M. Berry, et al	DOCKET NO			
			D. M. Berry, et ar	Sheet 3, Page 6			
DATE	NR.		PROCEEDINGS	м Этом (в Междан на в виде на се не выше и в Английский пове на объект в пове на пред на под пове на на под на На пред на пред			
1976							
4-15	71.	Response of defts.	to brief of pltf., filed. ph				
4-16	72.	Reply brief of deft	c. Oklahoma Tax Commission to p	pltf's brief, filed.			
4-16	73.	_	lef to briefs filed by defts. ( & Wade, filed.k	Okla. Tax Comm., Ber			
9-2	MO:	Case set for evid.	hearing on 10-1-76 at $1:30\ P$	m. (HDC-J)hm			
9-10	MO:	Case reset for evid	. hearing on 10/1/76 at 2:30 p	o.m. (HDC-J)rm			
10-1 10-1	173A.	Pltf's memorandum b Evidentiary hearing made. Defts' witnes Berry and Carl A. S Ann Waterloo. Pltf.	orief, filed. hm held. Parties represented. Or ses sworn: Rolland E. Downing, hahan. Defts. rest. Pltf's wit rests. Parties rest. Closing decision by the panel. (WJH,AH	pening statements Earl Wade, D. M. Iness sworn: Gloria arguments made and			
10-1		Exhibits from heari	ng, filed. hm (with file)				
10-12	74.	Assignment of bond to Delbert Brock, filed. ph					
12-22	75.	Opinion, filed and	entered. (WJH, AEB, HDC-Judges):	rm-copies mailed			
12-22	76.	D. M. Berry, L. L. the Oklahoma Tax Coand against plainti	entered, that judg. be entered Leininger, and J. L. Merrill, emmission, and Earl Wade, ind. eff, Gloria Waterloo, in light HDC - Judges) rm - copies man	ind., jointly and a and as Tax Agent, of this Court's			
2-1-77	77.		ent, filed, directing Clerk to s to Delbert Brock. (HDC-J)hm				
1980 7-28		EXHIBITS returned	to parties. hm				